

REMARKS

Applicant has carefully reviewed this Application in light of the Office Action transmitted January 23, 2009 (“*Office Action*”) and the Advisory Action transmitted April 15, 2009 (“*Advisory Action*”). Claims 1-3, 5-12, 14-20, 22, 23, 25-31 and 33-37 are pending in the Application and stand rejected. Applicant currently amend Claims 1, 6, 7, 14, 22, and 25, and cancels Claims 10, 18, and 29. These amendments are fully supported by the specification as originally filed. Applicant respectfully requests reconsideration of the pending claims and favorable action in this case.

I. Rejections under 35 U.S.C. § 102(e)

The Examiner rejects Claims 1-3, 5-12, 14-20, 22, 23, and 25-31 under 35 U.S.C. § 102(e) as anticipated by U.S. Publication No. 2002/0069278, now U.S. Patent No. 6,954,790 issued to Forsl w (“*Forsl w*”). Applicant respectfully traverses this rejection and submits that *Forsl w* does not describe, expressly or inherently, each and every limitation of the claims.

Consider Applicant’s independent Claim 1, as amended, which recites:

A system for distributing packets for communication to a mobile unit comprising:

a mobile unit having a device identifier and an internet protocol (IP) address comprising a first subnet identifier, the mobile unit roaming in a foreign network having a second subnet identifier;

a mobility manager operable to determine a multicast address for the mobile unit based on the device identifier, to receive multicast address requests that include the device identifier, and to communicate the multicast address responsive to the multicast address requests;

a plurality of foreign agents in the foreign network, the foreign agents operable to detect the mobile unit, to determine the device identifier for the mobile unit, to communicate a request including the device identifier to the mobility manager, to receive the multicast address from the mobility manager, and to register for a multicast group identified by the multicast address; and

a home agent operable to receive IP packets addressed to the mobile unit, to determine the multicast address associated with the mobile unit, to encapsulate the IP packets as payloads for multicast packets addressed to the multicast address, and to communicate the multicast packets for receipt by a plurality of devices registered for the multicast group using a packet network.

Among other aspects, *Forsl w* fails to describe (1) “a plurality of foreign agents in the foreign network, the foreign agents operable . . . to register for a multicast group identified by the multicast address;” and (2) “a home agent operable to receive IP packets addressed to the mobile unit, to determine the multicast address associated with the mobile unit, to

encapsulate the IP packets as payloads for multicast packets addressed to the multicast address, and to communicate the multicast packets for receipt by a plurality of devices registered for the multicast group using a packet network,” as amended Claim 1 recites.

With respect to the first aspect of Claim 1, Applicant maintains that the cited portion of *Forsl w* fails to describe a plurality of foreign agents operable to register for a multicast group identified by the multicast address, as Claim 1 recites. In response to Applicant’s previously submitted arguments, the *Office Action* continues to point to ¶ 135 of *Forsl w*. *Office Action*, p. 8. The cited portion, however, does not describe a plurality of foreign agents, as amended Claim 1 recites. Consider *Forsl w* at ¶ 137, stating that “[t]he mobile client 20 sends a router solicitation message when entering the foreign network in order to discover a foreign agent 31.” Accordingly, the cited portion of *Forsl w* and the portions that follow fail to describe “a plurality of foreign agents . . . operable to register for a multicast group identified by the multicast address,” as amended Claim 1 recites.

With respect to the second aspect of Claim 1, Applicant also maintains that *Forsl w* does not describe “a home agent operable to receive IP packets addressed to the mobile unit, to determine the multicast address associated with the mobile unit, to encapsulate the IP packets as payloads for multicast packets addressed to the multicast address, and to communicate the multicast packets for receipt by a plurality of devices registered for the multicast group using a packet network,” as amended Claim 1 recites. As just one example, the cited portions of *Forsl w* do not describe “a home agent operable to . . . communicate the multicast packets for receipt by a plurality of devices registered for the multicast group using a packet network,” as amended Claim 1 recites. For at least these reasons, *Forsl w* fails to describe “a home agent operable to receive IP packets addressed to the mobile unit, to determine the multicast address associated with the mobile unit, to encapsulate the IP packets as payloads for multicast packets addressed to the multicast address, and to communicate the multicast packets for receipt by devices registered for the multicast group using a packet network,” as amended Claim 1 recites.

Therefore, *Forsl w* does not describe, expressly or inherently, all limitations of Claim 1. Independent Claims 6, 14, 22, and 25 include limitations that, for substantially similar reasons, are not taught by *Forsl w*. Because *Forsl w* does not describe, expressly or inherently, all limitations of independent Claims 1, 6, 14, 22, and 25, Applicant respectfully

requests reconsideration and allowance of Claims 1, 6, 14, 22, and 25 and their respective dependent claims.

II. Rejections under 35 U.S.C. § 103(a)

The Examiner rejects Claims 33-37 under 35 U.S.C. § 103(a) as unpatentable over *Forslöv* in view of U.S. Patent No. 6,070,075 issued to Kim ("*Kim*").

As described above, Applicant has shown that *Forslöv* fails to disclose, expressly or inherently, all limitations of the independent claims. Accordingly, *Forslöv* fails to teach or suggest all limitations of Claims 33-37 because these dependent claims incorporate the limitations of their respective independent claims. *Kim* fails to remedy the deficiencies of *Forslöv*.

Thus, *Forslöv* and *Kim*, whether taken alone or in combination, fail to teach or suggest all limitations of Claims 33-37. Because the references fail to teach all limitations of the claims, Applicant respectfully requests reconsideration and allowance of Claims 33-37.

CONCLUSION

Applicant has made an earnest attempt to place this case in condition for allowance. For the foregoing reasons and for all other reasons clear and apparent, Applicant respectfully requests reconsideration and allowance of this Application.

If the Examiner feels prosecution of the present Application may be advanced by a telephone conference, Applicant invites the Examiner to contact the undersigned attorney at (214) 953-6584.

Although no fees are believed to be due, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.
Attorneys for Applicant

A handwritten signature in black ink, appearing to read 'Kurt M. Pankratz', with a stylized flourish at the end.

Kurt M. Pankratz
Reg. No. 46,977

Date: April 23, 2009

Customer No. **05073**